

REMARKS

Claims 1-5, 7, 8, and 10-14 are pending. Claim 1 has been amended to address the outstanding rejection under 35 U.S.C. § 112, second paragraph, by clarifying the relationship among the components and the nature of the glycoconjugate. No new matter has been added. This amendment overcomes the rejection.

Claim 8 stands rejected under 35 U.S.C. §112, second paragraph, on the ground that it is unclear how "an antibody or an antigen binding portion of the antibody" is a label. As described at pages 1-2 of the specification, the RvCBL, or the glycoconjugate, or both, may be labeled. Depending on the type of label selected, the detection method will vary. Just as a radioactive label would be detected by the appropriate detector, the use of an antibody or antigen as a label would also require an appropriate detector. By way of example only, and not limitation, in one embodiment, the glycoconjugate might incorporate an antibody or an antigen, and the introduction of the sample will cause some binding of the carbohydrate in the sample, and a corresponding displacement of the glycoconjugate. Then, the displaced glycoconjugate labeled with and containing an antibody or antigen might then be detected directly, or alternatively it might bind with a detector causing some additional measurable change (e.g. color). The claim, therefore, is sufficiently clear and the rejection should be withdrawn.

Pending claims 1-5, 7, 8, and 10-14 stand rejected under the judicially created doctrine of double patenting in view of Wolf, U.S. Patent No. 6,232,130. Enclosed is a Terminal Disclaimer with respect to U.S. Patent 6,232,130. The terminal disclaimer obviates the rejection.

Applicant : David E. Wolf
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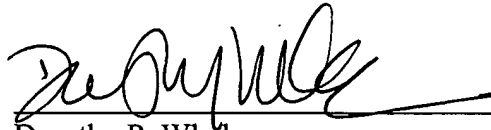
Attorney's Docket No.: 04037-007001

Enclosed is a check in the amount of \$475 for the Petition for Extension of Time fee.
Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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